

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

UNITED STATES OF AMERICA,

-v-

CARLOS LOPEZ,

Defendant.

16 Cr. 317-22 (PAE)

ORDER

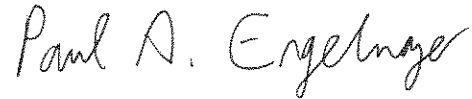
PAUL A. ENGELMAYER, District Judge:

On March 5, 2024, the Court issued a decision addressing the motion by defendant Carlos Lopez for compassionate release, pursuant to 18 U.S.C. § 3582(c)(1)(A). Dkt. 827. The Court denied the motion, but solely on account of Lopez's failure to exhaust administrative remedies. Had Lopez exhausted such remedies, the Court stated, it would have granted Lopez's motion, and reduced his term of imprisonment by three months, from 120 months to 117 months. *Id.* at 8. The Court invited defense counsel, upon a showing of administrative exhaustion, to move to reopen the motion. *Id.* at 10.

Today, defense counsel moved to reopen the motion, Dkt. 833, and attached a March 21, 2024 letter from the Bureau of Prisons ("BOP") denying Lopez's administrative request for a reduction of sentence. Dkt. 833, Ex. A. Lopez has therefore established administrative exhaustion.

The Court accordingly reopens Lopez's motion, and, for the reasons stated at Dkt. 827, grants the motion under § 3582(c), so as to reduce Lopez's term of imprisonment to 117 months. In light of Lopez's forthcoming release date, the Court directs Government counsel to furnish this decision to the BOP forthwith.

SO ORDERED.

A handwritten signature in cursive script, reading "Paul A. Engelmayer".

PAUL A. ENGELMAYER
United States District Judge

Dated: March 22, 2024
New York, New York